

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NEW ALLIANCE FEDERAL CREDIT)
UNION,)
)
Plaintiff)
) Civil Action No. 20-1048
v.)
) Judge Cathy Bissoon
JAMES M. MALARIK,)
)
Defendant.)

ORDER

Plaintiff's Motion to Remand (Doc. 10) will be granted. Under 28 U.S.C. § 1447(c), removed “[c]ases may be remanded . . . for (1) lack of district court subject matter jurisdiction or (2) a defect in the removal procedure.” PAS v. Travelers Ins. Co., 7 F.3d 349, 352 (3d Cir. 1993). Here, the removal is procedurally defective because Defendant failed to attach the underlying state court complaint to the notice of removal. See 28 U.S.C. § 1446 (requiring a removing defendant to file a notice of removal “together with a copy of all process, pleadings, and orders served upon such defendant . . . ”). Additionally, based on a review of the docket, the Court is unable to discern any basis for exercising subject-matter jurisdiction over this case.

Consistent with the foregoing, Plaintiff's Motion to Remand (Doc. 10) is GRANTED. This case shall be remanded forthwith to the Court of Common Pleas of Beaver County, Pennsylvania. The Clerk shall mark this case closed.

IT IS SO ORDERED.

January 18, 2022

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

Service by regular First-Class U.S. Mail upon:

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